SINGLE BENCH

CF 1002

(2)

P.R. No. 5641/06
Presented by Shri S.K. Verma
Date 11/10/06

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

WRIT PETITION (S) NO. 5633 /2006

PETITIONER : **Sagar Ram Dahariya**
S/o Shri Bhagchand Dahariya
Age about 45 years, Asstt. Teacher,
Govt. Primary School, Chingariya,
Block - Tilda, Distt. - Raipur (C.G.)

VERSUS

RESPONDENTS :
1. **State Govt. of Chhattisgarh**
Through : Secretary,
School Education Department Ministry,
D.K.S. Bhavan, Raipur (C.G.)
2. **District Education Officer**
Raipur (C.G.)

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WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA

Petitioner most humbly submit as under :-

(17)

HIGH COURT OF CHHATTISGARH AT BILASPUR

W. P. (S) No. 5623 of 2006

Petitioner : Smt. Ishwari Pandey

Versus

Respondents : State Govt. of Chhattisgarh & another

W. P. (S) No. 5624 of 2006

Petitioner : Ku. Sushila Verma

Versus

Respondents : State Govt. of Chhattisgarh & another

W. P. (S) No. 5625 of 2006

Petitioner : Ku. Shahena Parveen

Versus

Respondents : State Govt. of Chhattisgarh & another

W. P. (S) No. 5626 of 2006

Petitioner : Rajendra Prasad Soni

Versus

Respondents : State Govt. of Chhattisgarh & another

W. P. (S) No. 5627 of 2006

Petitioner : Tok Singh Verma

Versus

Respondents : State Govt. of Chhattisgarh & another

W. P. (S) No. 5628 of 2006

Petitioner : Ramgopal Chaturvedi

Versus

Respondents : State Govt. of Chhattisgarh & another

W. P. (S) No. 5629 of 2006

Petitioner : Smt. Sandhya Sharma

Versus

Respondents : State Govt. of Chhattisgarh & another

W. P. (S) No. 5630 of 2006

Petitioner : Rakesh Kumar Sahu

Versus

Respondents : State Govt. of Chhattisgarh & another

W. P. (S) No. 5631 of 2006

Petitioner : Lakhan Lal Patel

Versus

Respondents : State Govt. of Chhattisgarh & another

(18)

W. P. (S) No. 5632 of 2006

Petitioner : Ku. Jeera Padhyay

Versus

Respondents : State Govt. of Chhattisgarh & another

And

W. P. (S) No. 5633 of 2006

Petitioner : Sagar Ram Dahariya

Versus

Respondents : State Govt. of Chhattisgarh & another

Single Bench: Hon'ble Mr. Justice **Satish K. Agnihotri.**

Shri Ajay Shrivastava, Advocate for the Petitioners.
Shri Sumesh Bajaj, Govt. Advocate for respondents/State.

ORDER

(13th October, 2006)

1. Learned counsel appearing for the petitioners submits that while working as Assistant Teachers, the petitioners have gone on training to improve their qualifications on their own expenses and acquired B. Ed./B.T.I. Examination Certificate.

2. The present writ petitions, being W.P.(S) Nos. 5623/2006, 5624/2006, 5625/2006, 5626/2006, 5627/2006, 5628/2006, 5629/2006, 5630/2006, 5631/2006, 5632/2006 and 5633/2006 involve similar facts and common question of law. Thus, these petitions are being disposed of by this common order.

3. According to learned counsel for the petitioners, the petitioners are entitled to two advance increments in view of the decision of this Court in the case of Yashwant Kumar

Bharadwaj Vs. Municipal Corporation, Durg and another {2006 (II) MPJR-CG 96}. This Court in the case of Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another (Supra), came to the conclusion that the teachers, who had obtained B.Ed./B.T.I. Examination Certificate on his own expenses, are covered by the circular dated 24.12.98 issued by the State Government of Madhya Pradesh.

4. Learned counsel for the petitioners further submits that the facts and question of law involved in the present cases are squarely covered by decision of this Court in the case of Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another (Supra), to which learned counsel appearing for the respondents fairly concedes and agrees with the averment made by learned counsel appearing for the petitioners.

5. Accordingly, the writ petitions are allowed in terms of the order passed in the case of Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another (Supra), subject to verification of the fact as to whether the petitioners have acquired B.Ed./B.T.I. Examination Certificate on their own expenses or not. No order as to costs.

6. A copy of this order be placed on record of other connected writ petitions.

Sd/-
Satish K. Agnihotri
Judge

Subhash